

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

TIMM VOLKER ET AL

PHD 98-119

Serial No. 09/555,306

Group Art Unit:

Filed: MAY 26, 2000

Examiner:

Title: DATA CARRIER

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

ATTENTION: APPLICATION DIVISION

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION

Sir:

In response to the NOTICE TO FILE MISSING PARTS OF APPLICATION mailed on June 28, 2000, enclosed is a Declaration, properly signed by the Applicant(s) and referring to the above case by its Serial Number and filing date, in compliance with 37 CFR 1.63, and a copy of the Notice. Accordingly, the above-identified patent application is now complete.

Please charge Deposit Account No. 14-1270 in the amount of \$130.00 for the surcharge for filing the Declaration on a date later than the filing date of the application, as set forth in 37 CFR 1.16(e).

Respectfully submitted,

By

Daniel J. Piotrowski, Reg. 42,079  
Attorney  
(914) 333-9624

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date  
with the United States Postal Service as first-class mail in an envelope addressed to:  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

On

(Mailing Date)

By

(Signature)

September 28, 2000  
Josephine Canalese



10 Rec'd 06 OCT 2000  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/555306	TIMM	V PHD 98-119
INTERNATIONAL APPLICATION NO.		
PCT/EP99/07459		
LA. FILING DATE	PRIORITY DATE	
28 SEP 99	30 SEP 98	
DATE MAILED: 28 JUN 2000		

PHILIPS ELECTRONICS NORTH  
AMERICA CORPORATION  
580 WHITE PLAINS ROAD  
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#### NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1. ☐ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☐ does not identify the specification to which it is directed.
3. ☐ does not identify the inventor(s).
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☒ does not identify the city and state or city and foreign country of residence or each inventor. \* SEE BELOW
2. ☐ does not state that the person making the oath or declaration:
  - a. ☐ has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
  - b. ☐ acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4. ☐ does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation in part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).

\*INVENTORS EBER AND BERGER

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FORM PCT/DO/EO/917 (September 1996)

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